

E & R AMENDMENTS TO LB 746

Introduced by Enrollment and Review Committee: Flood, 19,  
Chairperson

1           1. Strike the original sections and all amendments  
2 thereto and insert the following new sections:

3           Section 1. It is the intent of the Legislature to expand  
4 the capacity to provide civil legal services to eligible low-income  
5 persons equally throughout the state.

6           Sec. 2. For purposes of sections 1 to 4 of this act, the  
7 definitions found in section 25-3001 apply.

8           Sec. 3. The Civil Legal Services Program is created.  
9 Appropriations to the program shall be used to provide grants for  
10 civil legal services to eligible low-income persons. The State  
11 Court Administrator shall distribute grants pursuant to section 4  
12 of this act.

13          Sec. 4. (1) The State Court Administrator shall establish  
14 guidelines for submission of applications for grants to provide  
15 civil legal services to eligible low-income persons. To be eligible  
16 for a grant under this section, a civil legal services provider  
17 shall:

18           (a) Be a nonprofit organization chartered in Nebraska;

19           (b) Employ or contract with attorneys admitted to  
20 practice before the Nebraska Supreme Court and the United States  
21 District Courts;

22           (c) Have offices located throughout the state;

23           (d) Have as its principal purpose and mission the

1 delivery of civil legal services to eligible low-income persons  
2 who are residents of Nebraska;

3 (e) Distribute its resources equitably throughout the  
4 state;

5 (f) Be a recipient of financial assistance for the  
6 delivery of civil legal services from the Legal Services  
7 Corporation established by the federal Legal Services Corporation  
8 Act, 42 U.S.C. 2996 et seq.; and

9 (g) Certify that any grant funds received pursuant to  
10 this section will be used to supplement any existing funds used  
11 by the applicant and that such funds will not replace other funds  
12 appropriated or awarded by a state agency to provide civil legal  
13 services to any eligible low-income person.

14 (2) A civil legal services provider seeking a grant  
15 under this section shall file an application with the State  
16 Court Administrator on forms provided by the administrator. The  
17 application shall include a place for the provider to certify to  
18 the administrator that it will provide free civil legal services  
19 to eligible low-income persons upon receipt of a grant under this  
20 section.

21 (3) The State Court Administrator shall review the  
22 applications and determine which civil legal services providers  
23 shall receive grants under this section and the amount of the  
24 grants. Grant recipients shall use the grant funds to provide free  
25 civil legal services to eligible low-income persons.

26 (4) An independent certified public accountant shall  
27 annually audit the books and accounts of each grant recipient. The

1 grant recipients shall provide the results of such audit to the  
2 State Court Administrator.

3           2. On page 1, strike beginning with "appropriations" in  
4 line 1 through line 3 and insert "legal services; to state intent;  
5 and to provide for grants for civil legal services to eligible  
6 low-income persons."